PART IV

SECTION—1-B

CENTRAL ACTS AND ORDINANCES

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW. 39 LCA 76.

Bangalore dated 19th June, 1976

Ordered that the Indian Light house (Amendment) Act, 1976 of 1976) published in Part II, Section I of the *Gazette of India*, traordinary dated 20th March 1976 be republished in the *Karnataka zette* for general information

By Order and in the name of the Governor of Karnataka,

B. NAGESHA RAO

U. Secy. to Govt., Dept. of Law & Parly. Affairs.

ssented to on 20th March 1976. Act No. 37 of 1976.

THE INDIAN LIGHTHOUSE (AMENDMENT) ACT, 1976

(AS PASSED BY THE HOUSES OF PARLIAMENT)

AN

ACT

Further to amend the Indian Lighthouse Act, 1927.

BE it enacted by Parliament in the Twenty-seventh Year of the epublic of India as follows :—

1. **Short title and commencement.**—(1) This Act may be calle be Indian Lighthouse (Amendment) Act, 1976.

(2) It shall come into force on such date as the Centra Government may by notification in the Official Gazette, appoint.

2. **Amendment of Section 1.**—In section 1 of the Indian Ligh house Act, 1927 (17 of 1927) (hereinafter referred to as the princip Act), in sub-section (1), the word "Indian" shall be omitted.

3. **Substitution of the words "proper officer" for the wo "Customs-collector".**—Throughout the principal Act, for the expr ssion "Customs-collector", wherever it occurs, the expression "prop officer" seall be substituted.

4. **Amendment of section 2.**—In section 2 of the principal Act

(*i*) clause (*a*) shall be omitted ;

(*ii*) in clause (*h*), the word "and" occurring at the end shall omitted ;

(*iii*) after clause (*h*), the following clause shall be inserte namely :—

'(*hh*) "proper officer", in relation to any functions to be perfo med under this Act, means the officer of Customs who is assigne those functions by the Central Board of Excise and Customs const tuted under the Central Boards of Revenue Act, 1963, (54 of 196 and includes any person appointed by the Central Government discharge the functions of a proper officer under this Act;';

(*iv*) in clause (*i*), for the words and figures "Indian Merchai Shipping Act, 1923' . (21 of 1923.) the words and figures "Merchai Shipping Act, 1958" (44 of 1958) shall be substituted.

5. **Amendment of Section 10.**— In sub-section (1) of sectio 10 of the principal Act, for the words "fifty naye paise per ton", th words "one rupee and fifty paise per ton" shall be substituted.

6. **Amendment of Section 12.**—In section 12 of the princip Act,—

(*i*) for sub-section (1), the following sub-section shall be sub tituted, namely :—

"(1) For the purpose of the levy of light-dues, a ship's tonnag shall be reckoned as under the Merchant Shipping Act, 1958 (44 o 1958) for dues payable on a ship's tonnage.";

(*ii*) in sub-section (2), for clause (*a*), the following claus shall be substituted, namely :—

"(*a*) if the ship is registered under any law for the time being i force in India or under the law of any country, other than India being a country the ships of which are recognised or accepted by th Central Government to be of the tonnage denoted in their certificate of registry or other national papers under any order made under an enactment repealed by sub-section (1) of section 461 of the Merchan Shipping Act, 1958 (44 of 1958) and continued in force under clause (*a*) of sub-section (3) of that section or under any rule made unde clause (b) of sub-section (2) of section 74 of the said Act (any such shi being hereafter in this section referred to as rigistered ship), require the owner or master or other person having possession of the ship's register or other papers denoting her tonnage to produce the same for inspection and, if such owner, master or other person refuses or neglects to produce the register or papers, as the case may be, or otherwise to satisfy the proper officer as to the tonnage of the ship, cause the ship to be measured and the tonnage to be ascertained; or".

7. **Insertion of new Section 19A.**—After section 19 of th principal Act and before the heading "ACCOUNTS", the followin section shall be inserted, namely :—

"19A Fees : Fees may be charged for providing assistance t ships for calibratir g their Wireless Direction Finders ar d for renderin other services to vessels, at such rates as the Central Governmen may specify in the rules made under this Act."

8. **Omission of Section 20A.**—Section 20A of the principal Ac and the heading "DELEGATION OF POWERS" occurring before tha section shall be omitted.

9. **Amendment of Section 21.**—In section 21 of the principa Act,—

(*i*) in sub-section (1), for the words "may make rules" the words "may, by no'ification in the Official Gazette, make rules' shall be substituted ;

(*ii*) in sub-section (2).—

(*a*) in clause (c), the word "and" occurring at the end sha be omitted ;

(*b*) after clause (c), the following clause shall be inserte namely :—

"(*cc*) the rates of fees for providing assistance to ships fo calibrating their Wireless Direction Finders and for ren dering other services to vessels,"

(*c*) after sub-section (2), the following sub-section shall b inserted, namely :—

"(3) Every rule made by the Central Government under th section shall be laid, as soon as may be after it is made before each House of Parliament while it is in session fo a total period of thirty days which may be comprised i one session or in two or more successive sessions, and i before the expiry of the session immediately following th session or the successive sessions aforesaid, both Hous agree in making any modification in the rule, or bot Houses agree that the rule should not be made, the ru shall thereafter have effect only in such modified form c be of no effect, as the case may be ; so, however, that an such modification or annulment shall be without prejudi to the validity of anything previously done under th rule.".